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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,504

01/07/2005

Mario Gioni Chiocchetti

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5921

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EXAMINER

ALIE, GHASSEM

ART UNIT

PAPER NUMBER

3724

MAIL DATE

DELIVERY MODE

08/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/520,504

Applicant(s)

CHIOCCHETTI ET AL.

Examiner

Ghassem Alie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/07/05.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 29-56 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Election/Restriction

Restriction is required under 35 U.S.C. 121 and 372.

1. This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under pct Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required in reply to this action to elect a single invention to which must be restricted.

Group I, claims 29-36, drawn to a sharpening unit for a rotating disk-shaped blade including a control component axially slidable in a support and moving angularly around an axis of the control component.

Group II, claims 37-56, drawn to cutting machine for cutting elongated products including at least one device for feeding the product along a path and a rotating element rotating around a main axis of rotation.

2. The inventions listed as Groups or Inventions I-II do not relate to a single inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special features for the following reasons: The technical feature of the invention I, as mentioned above, is not present in invention II. Conversely, the technical features in inventions II are not present in invention I. It should be noted that inventions I-II are distinct from one another by having at least a specific feature that is not presented in the other inventions.

3. Upon election of Group II above, applicant must elect of the inventions in the following Groups.

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Group IIA, claim 41 and 46-54, drawn to a cutting machine including a sharpening unit
Having a respective disk-shaped blade which is integral with a sleeve.

Group IIB, claims 42-44 and 55-56, drawn to a sharpening machine wherein at
least one disk-shaped blade is operated in alternative motion by a common cam component.

It should also be noted that claims 38-40 and 45 will be examined with either elected
Group IIA or Group IIB.

It should be noted claim 37 links invention IIB and claim 37 and 39-40 link invention
IIA. The restriction requirement among the linked inventions is **subject to** the nonallowance of
the linking claim(s) 37 and 39-40. Upon the indication of allowability of the linking claim(s),
the restriction requirement as to the linked inventions **shall** be withdrawn and any claim(s)
depending from or otherwise requiring all the limitations of the allowable linking claim(s) will
be rejoined and fully examined for patentability in accordance with 37 CFR 1.104.

4. The inventions listed as Groups or Inventions IIA-IIB do not relate to a single inventive
concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or
corresponding special features for the following reasons: The technical feature of the
invention IIA, as mentioned above, is not present in invention IIB. Conversely, the technical
features in inventions IIB are not present in invention IIA. It should be noted that inventions IIA-
IIB are distinct from one another by having at least a specific feature that is not presented in the
other inventions.

5. Upon election of Group IIA above, applicant must further elect one of the inventions in
the following Groups.

Group IIAa, claim 47-49, drawn to a cutting machine including a sharpening

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unit having two grinding wheels for sharpening two sides of a cutting edge of a respective blade.

Group IIAb, claims 46 and 50-54, drawn to a sharpening machine including a sharpening unit having at least one grinding wheel that moves from an operating position, in contact with a cutting edge, to a non-operative position out of contact with the cutting edge.

It should be noted claim 41 links invention II Aa and invention II Ab. The restriction requirement among the linked inventions is **subject to** the nonallowance of the linking claim(s) 41. Upon the indication of allowability of the linking claim(s), the restriction requirement as to the linked inventions **shall** be withdrawn and any claim(s) depending from or otherwise requiring all the limitations of the allowable linking claim(s) will be rejoined and fully examined for patentability in accordance with 37 CFR 1.104.

6. The inventions listed as Groups or Inventions II Aa-II Ab do not relate to a single inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special features for the following reasons: The technical feature of the invention II Aa, as mentioned above, is not present in invention II Ab. Conversely, the technical features in inventions II Ab are not present in invention II Aa. It should be noted that inventions II Aa-II Ab are distinct from one another by having at least a specific feature that is not presented in the other inventions.

7. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

8. Applicant is reminded that upon the cancellation of claims to a non-elected invention,

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the inventorship must be amended in compliance CFR 1.48 (b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is (501) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, SEE <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GA/ga

August 22, 2007

Ghassem Alie
Patent Examiner
Art Unit 3724

Ghassem Alie